

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Donald L. Lowthian,

Civil 05-151 PAM/FLN

Plaintiff,

v.

REPORT & RECOMMENDATION

Social Security Administration,

Defendant.

1. The complaint in this case was filed on January 26, 2005. When Plaintiff had not complied with the Local Rules for the United States District Court for the District of Minnesota by serving and filing a motion for summary judgment and a memorandum of law in support within 60 days of the date of the answer, the Court issued an order on June 7, 2005, which by its terms required Plaintiff to take certain action.

2. To date, Plaintiff has not complied with the terms of that order.

RECOMMENDATION

Based upon the foregoing, IT IS HEREBY RECOMMENDED that the Court issue an order dismissing this case for lack of prosecution.

DATED: August 31, 2005.

s/ Franklin L. Noel
FRANKLIN L. NOEL
United States Magistrate Judge

Pursuant to Local Rule 72.1(c)(2), any party may object to this report and recommendation by filing with the Clerk of Court and serving all parties, on or before **September 20, 2005**, written objections which specifically identify the portions of the proposed findings, recommendations or report to which objection is being made, and a brief in support thereof. A party may respond to the objecting party's brief within ten days after service thereof. All briefs filed under this rule shall be limited to ten pages. A judge shall make a de novo determination of those portions to which objection is made.